



Attorney/Docket No. 31132.237
Customer No. 000027683

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ferguson, et al.

Serial No.: 10/799,178

Filed: March 12, 2004

For: Technique and Instrumentation for
Intervertebral Prosthesis Implantation Using
Independent Landmarks

§ Group Art Unit: 3732
§ Confirmation No.: 8149
§ Examiner: Unknown
§

FOURTH INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited reference is in fact material, are in fact prior art, or that no better art exists.

The undersigned first became aware of the cited patents by their inclusion in the International Search Reports issued by the ISA/EP for the PCT counterpart of the present application. A copy of the search report is enclosed.

The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, a copy of the U.S. patent documents listed on the enclosed modified Form PTO-1449 are not attached.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

Julie M. Nickols
Registration No. 50,826

Date: 9/23/05
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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 9-23-05.

Gayle Conner

Printed Name

Signature

In place of PTO-1449 Form  SEP 27 2005 INFORMATION DISCLOSURE STATEMENT BY APPLICANT <small>(use as many sheets as necessary)</small>		Complete if Known	
		Application Number	10/799,178
		Filing Date	March 12, 2004
		Applicant(s)	Ferguson, et al.
		Art Unit	3732
		Examiner Name	Unknown
SHEET	1	OF	1
		Attorney Docket Number 31132.237	

NON-PATENT LITERATURE DOCUMENTS		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published
	A3	Patent Cooperation Treaty - European Patent Office, "Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration," International Application No. PCT/US2005/007310, March 7, 2005, 10 pages

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.